

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Nathan Daniel Clark,

Petitioner,

v.

Civ. No. 06-4050 (JNE/SRN)  
ORDER

State of Minnesota,

Respondent.

In a Report and Recommendation dated October 16, 2006, the Honorable Susan Richard Nelson, United States Magistrate Judge, recommended that Petitioner's application for a writ of habeas corpus be denied; Petitioner's application to proceed in forma pauperis be denied; Petitioner's motion for counsel and evidentiary hearing be denied; and that this action be dismissed. Petitioner objected to the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Accordingly, IT IS ORDERED THAT:

1. Petitioner's application for a writ of habeas corpus [Docket No.1] is DENIED.
2. Petitioner's application to proceed in forma pauperis [Docket No. 3] is DENIED.
3. Petitioner's motion for counsel and evidentiary hearing [Docket No. 4] is denied.
4. This action is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 22, 2006

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge